

TOWN OF CHATHAM
488 State Route 295, Chatham, NY 12037

Town Board Meeting Minutes
Thursday, October 20, 2022 @ 6:30PM

This Meeting is IN PERSON (Town Hall) For Board Members, With the Exception of
Extraordinary Circumstances,

IN PERSON and VIRTUAL for the Public

Google Meet: meet.google.com/ikz-yswd-mpq

Join By Phone: (US)+1 513-796-6277 PIN: 661 387 286#

- **PRESENT**

Supervisor Donal Collins, Councilmembers Vance Pitkin, Abi Mesick, Destiny Hallenbeck, Rick Werwaiss, CAATS Tammy Shaw, Town Clerk Beth Anne Rippel

Virtually -

Supervisor Collins called the meeting to order at 6:34 and led the pledge of allegiance.

- **ANNOUNCEMENTS:**

- Red Rock Fire- Pasta Fundraiser (10-22, 5-8pm)
- Chatham Ladies Auxiliary- Craft Fair Fundraiser (10-22, 9am-3pm)
- Niverville Fire- Spaghetti Fundraiser (10-22, 4-7pm)

- **PUBLIC COMMENT**

Levow - Heat Smart Chatham not sure what it's about.

- **CORRESPONDENCE:**

1. High Bridge Road - Re: Flooding After Art Omi Construction
Architect for the project has been on site and has scheduled additional meetings with the homeowner.

- **SUB-COMMITTEE REPORTS:**

1. Broadband Committee- (Councilman Pitkin/Councilwoman Hallenbeck) - no report
2. CAP (Chatham Agricultural Partnership)- (Supervisor Collins) - Farm Tour was quite popular and he thanked the farms and visitors for participation. They're working on the Ag Protection Program and updating language and census numbers by zip code.
3. Climate Smart/Action Task Force Committee- (Councilman Werwaiss) - Discussed Bond Act and also the resolution regarding the Climate Action Council scoping plan. Scoping plan. They helped with the Repair Cafe in

East Nassau, thanks to Karla Cavanaugh. The North Chatham Day was tabled and that was part of their outreach towards getting their board certification.

4. Communications Committee- (Councilwoman Mesick) - news letter will go out at the end of October.
5. Comprehensive Plan Update Review Committee- (Councilwoman Mesick) - first draft is in hand, committee is reviewing now to see that it aligns with surveys and with focus groups. This will take 2 to 3 weeks then it will go back to Michael Allen. He'll make the changes that we suggested then it will be released to the public. We will meet weekly until it's done.
6. Finance & Planning Committee- (Supervisor Collins) - went over the tentative budget, capital improvement plan, highway improvements. They applied for a planning grant for a feasibility study
7. Parks & Recreation Committee- (Councilman Pitkin/Supervisor Collins) - hot item is the Pump Track work party this Saturday at the Park. Volunteers needed. Scheduled Park Day for August 19, 2023.
8. Town & County (Supervisor Collins) - COVID report, cases climbing. County offering COVID boosters at AB Shaw Fire Co. in Claverack. Pushing Ever Home program, allowing for aging in place. County will get their opioid settlement of 2.5 million. \$500, 000. is the first installment. It will be 18 years until we see the last installment of the settlement . 2 positive Monkeypox cases. OFA received 200K for Ever Home. Collins' full report is on file.....
Adrian Ooms turned 90, Vance, Abi and Donal attended the celebration . Nick Baccaro turned 80 and you can still find him down at Crellin Park doing the mowing.
9. Grants Appropriations Committee (Councilman Werwaiss) - no meeting, no quorum. Linville reached out to NYS Archives about digitizing ZBA and PB records. Shaw shared a funding opportunity for speed control devices. Standing meeting is the last week of the month. Werwaiss wants 4 additional members.
10. CAC - met with Ingrid Henkle Hudson River Estuary. Put out a request for people to work on the Community Preservation Committee. Next meeting Nov. 4 at 6:30.

- **REPORTS ON FILE:**

1. Assessor
2. Code Enforcement/Building Inspector
3. Dog Control - quiet month. Ag and Markets will be down on October 24 to do their inspection of DCO's facilities.
4. Environmental Mgt Council
5. Finance Department
6. Highway Department
7. Justice Court
8. Office of the Aging Advisory Board
9. Recreation Director
10. Supervisor's Report
11. Town Clerk

- **NEW BUSINESS:**

- Swap Meet at Crellin Park - Mesick - would like to see a monthly get-together so residents can get rid of their stuff. Would like to have a shed to collect things in. Asking for help and permission to hold one before bad weather sets in. Werwaiss will check with Climate Smart to see if they can help out..

- **OLD BUSINESS:**

- Review 2023 Tentative Budget - Discussion on the highway equipment and vendors not honoring their agreement. Collins made a MOTION to remind vendors of their obligations to the Town. Hallenbeck seconded. Motion carried.
- NY BOND Act - Werwaiss 4.2 billion bond referendum on the Nov. 8 ballot. That'll be on the back of the ballot known as Proposition One. It's called the Clean Water, Clean Air Clean Jobs, Bond Act and a lot of the money will be directed towards climate change adaptation and resilience but also transition from fossil fuels to green energy as a major focus.
- Virtual Meetings Local Law 6- Revise LL5 to Include PB,ZBA, Advisory Committee -
- NYSERDA Heat Pump Campaign - there will be a resolution for the Town to adopt for the campaign. There's no financial incentive but there are points for adopting this. Town Hall/Highway Garage Capital Improvement

• **RESOLUTIONS:**

1. **Resolution#182-22: To Approve the Town Board Minutes.**

WHEREAS, the Chatham Town Board approves the Town Board Minutes for September 15, 2022.

Offered by: Hallenbeck, seconded motion: Mesick

VOTE: AYE: Collins, Pitkin, Mesick, Hallenbeck,

Werwaiss

NAY: None Resolution adopted

2. **Resolution#183 -22: To Accept the Town Accountant's Financial Supervisor's Report.**

WHEREAS, the Chatham Town Board accepts the Town Accountant's Financial Supervisor Report for , 2022.

Offered by: Hallenbeck, seconded motion: Werwaiss

VOTE: AYE: Collins, Pitkin, Mesick, Hallenbeck,

Werwaiss

NAY: None Resolution adopted

3. **Resolution#184-22: To Accept the Financial Abstract as presented to pay the Town Bills.**

WHEREAS, the Chatham Town Board accepts the Financial Abstract 10A as presented to pay the Town Bills.

Offered by: Hallenbeck, seconded motion: Pitkin

VOTE: AYE: Collins, Pitkin, Mesick, Hallenbeck,

Werwaiss

NAY: None Resolution adopted.

4. **Resolution#185-22: To Move the 2023 Tentative Budget to the Preliminary Budget**

WHEREAS, the Chatham Town Board has reviewed and discussed the Tentative Budget for 2023, and

WHEREAS, the Chatham Town Board has considered the fire protection and EMS contracts between the Town of Chatham and the Chatham Fire Department, Niverville Fire Department, Tri-Village Fire Company, East Chatham Fire Company, Red Rock Fire Company, Chatham Rescue Squad and Valatie Rescue Squad, and

NOW THEREFORE BE IT RESOLVED, the Town Board moves that the Tentative 2023 Budget be moved to the Preliminary 2023 Budget and directs the Town Clerk to post a Public Hearing Notice to be scheduled on November 3, 2022 at 6:30PM for the purpose of accepting public comment on the 2023 Preliminary Budget and comment on the fire protection and EMS contracts between the Town of Chatham and the Chatham Fire Department, Niverville Fire Department, Tri-Village Fire Company, East Chatham Fire Company, Red Rock Fire Company, Chatham Rescue Squad and Valatie Rescue Squad.

Offered by: Pitkin, seconded motion: Hallenbeck

VOTE: AYE: Collins, Pitkin, Mesick, Hallenbeck,

Werwaiss

NAY: None Resolution adopted.

Thank you Tammy Shaw!

5. **Resolution#186-22: To Accept revised 284 Agreement.**

WHEREAS, the Chatham Town Board and the Superintendent of Highways are required by Highway Law § 284 to enter into a written agreement stating the places and manner in which the Highway Fund appropriations for repairs and improvements are to be expended; and

WHEREAS, the Chatham Town Board and the Superintendent of Highways entered into a revised agreement on May 19, 2022, Resolution #113-2022, in the sum of \$423,744.38, due to an increase in CHIPS Funding, and

WHEREAS, there is a second increase in CHIPS Funding in 2022, Pave Our Potholes Program (POP), in the sum of \$50,009.39, total CHIPS Funding now being \$473,753.77, and

WHEREAS, a revision is needed to said 284 Agreement to remove Depot Lane and Finch Street and add Eberle Road, Eberle Road Ext., Electric Park, Marina Drive and East Shore Drive to the permanent improvement list for paving, and

THEREFORE, BE IT RESOLVED, that the Chatham Town Board hereby approves the revised 284 Agreement, submitted by the Highway Superintendent, to spend Town Highway Funds in the sum of \$473,753.77 under the 2022 CHIPS Program.

Offered by: Hallenbeck, seconded motion: Pitkin

VOTE: AYE: Collins, Pitkin, Mesick, Hallenbeck,

Werwaiss

NAY: None Resolution adopted.

6. **Resolution#187-22: To Support the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022**

WHEREAS, providing clean drinking water and protecting our local rivers, bays, lakes, streams and waterfronts from pollution is paramount to quality of life in New York State and the Town of Chatham; and,

WHEREAS, modernizing water infrastructure will safeguard clean water, reduce flooding, reduce lead exposure and other public health threats, and create jobs; and

WHEREAS, the Town of Chatham and neighboring municipalities within Columbia County are vulnerable to extreme weather including deadly heat from rising temperatures and flooding from severe storms that put people, properties and public assets across the Town at risk; and

WHEREAS, upgrading transportation and storm water infrastructure, restoring natural resources, growing urban forests, building green roofs and upgrading cooling centers will reduce the impact of extreme weather, saving lives and money; and

WHEREAS, the COVID-19 pandemic demonstrated the importance of outdoor recreation and access to fresh, local food, as people flocked to local parks and sought out healthy foods for their families; and

WHEREAS, upgrades to facilities at state and local parks and preserves and the creation of new outdoor recreational areas will benefit our region by protecting wildlife habitat, providing more people access to nature, and creating jobs in the outdoor recreation economy; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would authorize the four billion and two hundred million dollars of bonds to finance critical environmental restoration, clean water, and infrastructure projects across New York State; and

WHEREAS, the funds would be targeted towards protecting clean water, reducing flood risk, restoring natural resources, protecting open space and farmland, and reducing the pollution that causes climate change; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 was passed by the New York State Legislature as part of the 2022-23 New York State Budget and will appear on the November 8, 2022, New York State General Election Ballot for voter approval; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 includes strong labor provisions and will support more than 84,000 family-sustaining jobs for New Yorkers; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would enable New York State, Columbia County, and the Town of Chatham to address pollution and public health threats in disadvantaged communities by directing at least 35% with a goal of 40% of the measure's funding to address hazardous conditions in such communities; now, therefore, be it

RESOLVED, that the Town of Chatham Town Council supports passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

Offered by: Werwaiss seconded motion: Hallenbeck

DISCUSSION

Pitkin - So we were not considered a disadvantaged community. Has anyone done research on this and is it going to raise taxes on state residents? NYS tax payers will be responsible for paying back the bond as per Werwaiss. It's part of any operating budget; we won't know the tax impacts until each annual NYS budget is passed.

Mesick - asked; What does this mean to us? Werwaiss - money will come through state agencies

Mesick asked- What does critical restoration mean? Levies, waterways , nutrient handling. They are going to divert money to farms.

Levow - what's it going to cost and what are the benefits? Werwaiss - it will be funneled through state agencies for granting purposes. He'll research.

MOTION to Table offered by Collins, second by Pitkin, Voted in favor of tabling Pitkin, Collins, Mesick.

Werwaiss, Hallenbeck opposed. MOTION passed. Resolution tabled.

Werwaiss would like to see this passed now . Will the research change anyone's vote? Collins - it might make a difference, Pitkin - it could color his vote, he has questions. Hallenbeck said that there is still time for the TOC to be added to the disadvantaged community list, we deserve the money. Pitkin stated that this proposition is on the ballot and everyone can vote on it then, it is not necessary to do so now..

7. **Resolution#188-22: To Appoint a member of Board Assessment Review**

WHEREAS, the Chatham Town Board appoints Marjorie Cartwright to the Board of Assessment Review to serve a term October 1, 2022 to September 30, 2027.

Offered by: Hallenbeck, seconded motion: Pitkin

VOTE: **AYE:** Collins, Pitkin, Mesick, Hallenbeck,
Werwaiss NAY: None Resolution adopted.

8. **Resolution#189-22: To Set a Public Hearing for LL6 (Revision of LL5-2022 to Include PB & ZBA)**

WHEREAS, The Town Board of the Town of Chatham adopted Local Law 5 on August 4, 2022 to hold Hybrid Public Meetings in accordance with New York State guidelines to assure the highest level of participation and public safety, and

WHEREAS, the Town Board wishes to amend Local Law 5-2022 to fully establish the rights of the Planning Board, Zoning Board of Appeals and Advisory Committees to utilize the same hybrid meeting parameters established in Local Law 5, and

WHEREAS it is necessary for the Town to hold a public hearing to accept public comment prior to a vote to enact such local law, and

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Chatham hereby schedules the public hearing for LL#6-2022: Hybrid Public Meetings for November 3, 2022 @ 630PM.

Offered by: Pitkin, seconded motion: Mesick

VOTE: **AYE:** Collins, Pitkin, Mesick, Hallenbeck,
Werwaiss NAY: None Resolution adopted.

• **PUBLIC COMMENT**

- Erich questioned the utility's projected increase.
- Bobseine - minutes not posted on website

There are 2 climate policies coming from NYS. She hears some people on the TB are worried about tax implications; she doesn't know if they can find out what it is before the vote on this. And what happened to the scoping plan? Supervisor Collins reported that it was on hold as Werwaiss was going to bring it back to the board at another meeting.

-Collins stated that RES. 187-22 is a symbolic resolution the Board is being asked to vote on and he wants to see a consensus.

-Mesick - speaking to Bobseine - There were questions and concerns about the Scoping Plan and it was prudent to bring in a speaker to answer . There was no lack of interest on the part of the Board but the speaker couldn't make it for the public discussion. We want to learn more and understand more. We should have been applauded for that. We should have had these discussions earlier in the process.

- **MOTION TO CLOSE MEETING**

MOTION to close the meeting at 8:14 PM was made by Collins, seconded by, Pitkin motion carried.

Respectfully submitted by, RMC
Beth Anne Rippel
Town Clerk/Tax Collector